Serial No. 10/810,183 Response to Office Action

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NCT 14 2005

Attorney Docket No. 04200/LH

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant

K. SHIMIZU et al

Serial No.

10/810,183 :

Filed

March 26, 2004

For

ILLUMINATION DEVICE FOR

MICROSCOPE

Art Unit

2872

Examiner

FINEMAN, LEE A.

Customer No.: 01933

RESPONSE- 37 C.F.R. 1.111

MAIL STOP AMENDMENT Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

SIR:

This is responsive to the Office Action mailed September 20, 2005, the term for response to which expires on October 20, 2005.

ELECTION

Applicants hereby elect Species I, Fig. 1, for further prosecution on the merits, without traverse.

CLAIMS READABLE ON ELECTED SPECIES

The claims readable on elected Species I are claims 1, 2, 4, 5 and 9-12.

CERTIFICATE OF FACSIMILE TRANSMISSION TO NO. 1-571-273-8300

TOTAL PAGES: 2 I hereby certify that this paper is being facsimile transmitted to the Commissioner for Patents, on the date noted below.

Sarado

Nalini P. Sahadeo

Dated: October 14, 2005

In the event that this Paper is late filed, and the necessary petition for extension of time is not filed concurrently herewith, please consider this as a Petition for the requisite extension of time, and to the extent not tendered by credit card payment, authorization to charge the extension fee, or any other fee required in connection with this Paper to Account No. 06-1378.

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Applicants have informed the undersigned that the original inventorship is still correct for the elected subject matter.

It is respectfully requested that prosecution on the merits now proceed on the basis of the election set forth above.

It is respectfully submitted that this submission is fully responsive to the outstanding Office Action.

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned at the telephone number given below for prompt action.

Respectfully submitted,

Leonard Holtz Reg. No. 22,

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